



California Regional Water Quality Control Board

San Diego Region

Winston H. Hickox
Secretary for
Environmental
Protection

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February 21, 2002

Mr. & Mrs. Chung Kwan Hsu
Budget Trade & Gas
510 West 5th Avenue
Escondido, CA 92025

In Reply Refer to:
UST:50-2661.05:sjp

Dear Mr. & Mrs. Hsu:

SUBJECT: ORDER R9-2002-0075 FOR SUBMITTAL OF REMEDIAL ACTION PLAN
Budget Trade & Gas, 510 West 5th Avenue, Escondido, CA

The California Regional Water Quality Control Board, San Diego Region (RWQCB) is the State agency with the responsibility for protecting the quality of ground waters and surface waters within its area of jurisdiction. The RWQCB has been given authority under the California Water Code (CWC) to require submission of information, direct action, establish regulations, levy penalties and/or bring legal action when necessary to protect water quality.

Pursuant to California Water Code (CWC) section 13267, you are hereby ordered to provide the RWQCB no later than **May 1, 2002, a technical report describing an adequate remedial alternative to cleanup and remediate pollution to the soil and ground water resulting from an unauthorized release of petroleum hydrocarbon waste from Budget Trade and Gas. Failure to submit an adequate technical report by May 1, 2002 may result in the RWQCB issuing an administrative civil liability to Budget Trade & Gas in an amount not to exceed \$1,000 for each day of the violation (CWC section 13268).**

The RWQCB has received your report titled "Air Sparge/Soil Vapor Extraction Pilot Test Results" submitted in compliance with Addendum No. 3 to Cleanup and Abatement Order No. 2000-255. The report summarized the pilot test to determine whether air sparge/soil vapor extraction is a suitable technology for remediation of petroleum hydrocarbon pollution to the soil and ground water at Budget Trade and Gas. The report concluded that this technology has limited potential to remove petroleum hydrocarbon mass from soil and ground water. The recommendation's section of the report suggested that an alternative strategy be evaluated for the site. The RWQCB concurs with this recommendation.

Therefore, provide a technical report, by the above referenced date, which describes a remedial alternative that is suitable for cleaning up soil and groundwater at the Budget Trade and Gas

California Environmental Protection Agency

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facility. The report should include an implementation timeline, with dates, for the chosen remedial alternative.

If you wish to dispute the factual basis of, or the legal conclusions set forth in this order, you must submit all evidence and argument supporting rescission or modification of the order to the Regional Board within 14 days of the date of the order. Within 14 days the Regional Board will respond to your submission in writing, or advise you when a written response upholding, modifying, or rescinding the investigative order will be issued. You would have 30 days from the date of such response to file a petition for administrative review under Water Code section 13320 with the State Water Resources Control Board.

If you have any questions, please contact Ms. Sue Pease of my staff at (858) 637-5596 or by email at peass@rb9.swrcb.ca.gov.

Respectfully,

John H. Robertus
Executive Officer
San Diego Regional Water Quality Control Board

cc: Mr. Chuck Houser, Southern California Soils and Testing, Inc., P.O. Box 600627, San Diego, CA 92160-0627

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